

**Draft  
Environmental Assessment**

**TRAVELERS' REST  
ACQUISITION PHASE III  
Scullion Property**

**September 26, 2003**



***Montana Fish,  
Wildlife & Parks***

**Travelers' Rest Acquisition Phase III – Scullion Property**  
**Draft Environmental Assessment**  
**MEPA, NEPA, MCA 23-1-110 CHECKLIST**

**PART I. PROPOSED ACTION DESCRIPTION**

**1. Type of proposed state action**

Montana Fish, Wildlife and Parks (FWP) proposes to acquire approximately 11.5 acres of land that will expand the area of the existing Travelers' Rest State Park. This area has cultural and archaeological significance relating to prehistoric Native American use and the Lewis and Clark expedition. This acquisition/donation will protect approximately 11.5 acres from future development, protect wildlife and fisheries habitat, and provide additional recreational opportunities for the public.

The Fair Market Value of the approximately 11.5 acre tract was determined to be \$490,000 by an appraisal, which has been reviewed and approved following the Uniform Appraisal Standards for Federal Land Acquisition. The amount to be paid by the Buyers to the Landowners for the Property has been agreed upon between the parties to be \$438,720. Landowners desire to donate and Buyers desire to accept any value in excess of \$438,720 as a donation to FWP.

**Phased Purchases** Landowners shall convey the Property to the Buyers in two phases. The phases will be implemented as funds and available unencumbered donation tracts become available.

**Scullion Phase I** The portion of the fair market value of the Property included in Phase I equals \$255,280, of which a portion of land with an approximate fair market value of \$51,200 will be donated by the land owner.

**Scullion Phase II** The portion of the fair market value of the Property included in Phase II equals \$234,720.

**2. Agency authority for the proposed action**

FWP undertakes this action by authority of MCA 23-1-102, defining FWP powers and duties regarding the acquisition of lands by fee or donation as state historical sites and recreational areas. The department may cooperate with other federal or local agencies to acquire, plan, establish, and maintain parks as authorized by MCA 23-1-107. MCA 87-1-209 and 87-1-301 authorize the FWP Commission and the Montana Land Board to approve all land and water acquisitions.

The Land and Water Conservation Fund Act of 1965 (LWCF) established a federal grants program that encourages partnerships between national, state and local governments. A grant application has been submitted to the National Park Service and has been approved to use these funds in a 50% federal match to 50% state/private value basis to acquire the subject properties.

Section 23-1-110 MCA, or House Bill 495, and the guidelines established in 12.8.604 (ARM) (1) relate to changes in state park and fishing access site features or use patterns. The proposed acquisition will not change site features; therefore, House Bill 495 is not initiated by the proposed parkland acquisition. See Attachment A.

3. **Name of project:** Travelers' Rest Acquisition Phase III – Scullion Property
4. **Name, address and phone number of project sponsor (if other than the agency):**  
Montana Fish, Wildlife, and Parks is the project sponsor.
5. **If applicable:**  
Estimated Construction/Commencement Date: No construction planned  
Estimated Completion Date: **Request Commission Approval November 2003**  
Current Status of Project Design (% complete): NA

6. **Location affected by proposed action (county, range and township):**  
Tract is located adjacent to and east of the existing Travelers' Rest State Park.

**Legal Description**

Approximately 11.5 acres within tract 3A-1 of COS 4592; land survey has been requested, Missoula County, T12N, R20W S35 SW¼. Property is located along Lolo Creek. An easement will be available from U.S. Highway 93.

(Map source: [www.travelersrest.org](http://www.travelersrest.org))



7. **Project size -- estimate the number of acres that would be directly affected that are currently: (total tract size = approximately 11.5 acres)**

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>2</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(b) Open Space/Woodlands/Recreation	<u>9</u>	Irrigated cropland	<u>0</u>
		Dry cropland	<u>0</u>
(c) Wetlands/Riparian Areas	<u>  </u>	Forestry	<u>0</u>
		Rangeland	<u>  </u>
		Other-barn & related	<u>  </u>

# AERIAL PHOTO OF SCULLION PROPERTY AND TRAVELERS' REST STATE PARK AREA



Base photo source: Montana Natural Resources Information Service Topofinder II

**8. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.**

(a) Permits:

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
none		

(b) Funding: exact values are subject to change after final land survey and contingent upon final landowner donation.

<u>Agency Name</u>	<u>Approximate Funding Amount</u>	
TRPHA	\$26,000	5%
National Park Service	\$232,000	47.5%
Land and Water Conservation Fund (LWCF)		
Private funds match	\$232,000	47.5%
from donated land value of this and previous and future land transactions		
<u>TOTAL</u>	<u>\$490,000</u>	<u>100%</u>

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
National Park Service	administrator of LWCF grant

**9. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action:**

The purpose of the proposed land acquisition is to preserve an additional approximately 11.5 acres of a 50-acre area that has been identified as having historical and archeological significance. This tract also has good wildlife habitat, over 1000' of access to Lolo Creek, including access directly from Highway 93. The riparian area has many mature cottonwood and aspen, and is covered in native grasses.

Native Americans have used this area for thousands of years, as did the Lewis and Clark expedition in 1805 and 1806. This area near Lolo, Montana and Lolo Creek was a trail junction used by the Nez Perce to reach the eastern buffalo country. Lemhi Shoshone and Salish peoples camped in the area and also used nearby trails.

The Lewis and Clark Corps of Discovery spent two days at Travelers' Rest in September 1805 and three days on the return trip to the east in June-July 1806 when they were exploring the Louisiana Purchase and searching for the Northwest Passage.

Travelers' Rest has been recognized by the National Trust for Historic Preservation, the National Park Service and former First Lady Hillary Clinton's Office with a prestigious "Saving America's Treasures" designation. In 1999, it was awarded a spot on the "America's 11 Most Endangered Historic Places" listing from the National Trust. The Travelers' Rest site was designated a National

Historic Landmark on October 10, 1960, and is marked as such along Highway 93 south of Lolo, though not considered an accurate location by recent studies.

Since the public was alerted to the Travelers' Rest area in 1998, the site became popular, though under private ownership. Over 2,000 visitors from all over the United States and several foreign countries went "through the gate" in a three year period. In 2003 alone, visitation is expected to exceed 7,000 people. Many more visitors are anticipated with its new status as a state park and the upcoming 200-year anniversary of the Lewis and Clark expedition.

FWP acquired the current 15-acre Travelers' Rest State Park by donation in March 2001. An additional 10 acre tract was acquired in August 2003 using LWCF.

Travelers' Rest Preservation and Heritage Association (TRPHA) has a management agreement with Montana Fish, Wildlife and Parks to preserve, manage, and interpret Travelers' Rest State Park. TRPHA is a private, nonprofit organization based in Lolo, Montana. All financial responsibility for the park rests with TRPHA and activities are funded through a variety of grants and private contributions.

A Travelers' Rest site plan and management directive is nearly complete with the cooperative efforts of TRPHA, FWP, Missoula County, the Lewis and Clark Trail Heritage Foundation, the Lolo Community and the public. The Scullion property will be incorporated into this plan in time. Visitors to the acquired land would immediately access the property from the farmhouse area at the existing Travelers' Rest State Park during normal open hours or by appointment. Access is legal from Highway 93, but at this time there is not adequate parking.

The subject tract is only part of several privately owned tracts of the approximately 50-acre Travelers' Rest historic area located within the unincorporated town of Lolo. Other portions of the Travelers' Rest area have been developed into residential dwellings and trailer courts in the last several years; thus, the acquisition of this tract is significant to preserving western history and wildlife/fisheries habitat.

Preservation of the subject properties as part of Travelers' Rest State Park would maintain its unique historical significance and natural integrity for future generations. This 11.5 acres is also an important tract to enhance area recreational opportunities for visitors and local residents. This tract can connect to other trails within the park and to community trails associated with the Lolo Community.

**10. List of agencies consulted during preparation of the EA:**

Fish, Wildlife and Parks	Parks Division
	Fisheries Division
	Wildlife Division
	Lands Division
	Cultural Resources Coordinator
	Land and Water Conservation Funds Coordinator
	Department of Natural Resources and Conservation (floodplain management)
	The Conservation Fund represented by American Public Land Exchange
	Land and Water Consulting, Inc.: <i>Travelers' Rest EA and Environmental Site Audit</i>

## Natural Resources and Conservation Service (Missoula County Soils)

## **PART II. ENVIRONMENTAL REVIEW**

1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

### **A. PHYSICAL ENVIRONMENT**

1. <b><u>LAND RESOURCES</u></b>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Commen t Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Soil instability or changes in geologic substructure?		X				1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. **Destruction, covering or modification of any unique geologic or physical features?		X				1c.
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (attach additional pages of narrative if needed):**

- 1a. No development on the subject tract is planned at this time; therefore, no changes in soil stability or geologic substructure will occur.
- 1c. It is imperative that the parcel is conserved to allow research for potential cultural and historical resources.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.



2. <u>AIR</u>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				2a.
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		X				
f. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (attach additional pages of narrative if needed):**

2a. Ambient air quality is not anticipated to change due to the subject acquisition. The addition of the subject tract to the existing state park land may slightly increase the number of visitors, but air quality is not expected to be impacted (ie. large increase in number of vehicles and emissions products). The vast number of visitors will come to the vicinity despite the acquisition of the subject properties, because of the existing Travelers' Rest State Park and general importance of the area to Native American history and the Lewis and Clark expedition. A slight increase in visitors may occur from local anglers and pedestrians who will often access the site from connecting non-motorized trails in the community.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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3. <b><u>WATER</u></b>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				3a.
c. Alteration of the course or magnitude of floodwater or other flows?		X				3a.
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				3a. and 3k.
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?			X			3i.
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?			X		yes	3k.
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		X				3l.
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				
n. Other: _____		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (attach additional pages of narrative if needed):**

3a. Acquisition of the subject tract will prevent residential or other development of the tract, which could potentially alter surface water quality, water drainage patterns, and floodwaters routes, and surface water volumes, primarily relating to Lolo Creek. The change in ownership will prevent potential overgrazing or additional septic systems to the area, which could degrade surface water quality.

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\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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- 3i. All or a portion of the water rights associated with this property will be transferred to FWP at closing.
- 3k. Use of the water rights associated with this property for irrigation or instream flows will be evaluated by the FWP fisheries biologist and parks manager. These rights would retain the potential use for irrigation if necessary within the tract to possible enhance and diversify native plant species. If the rights are used for instream flow, this would directly benefit fish habitat, and therefore benefit anglers and other recreational users.
- 3l. Karl Christians, Floodplain Management Section Supervisor with the Montana Department of Natural Resources and Conservation (DNRC), reviewed the Travelers' Rest area on a topographic map with Sue Dalbey, consultant for Montana Fish, Wildlife & Parks (FWP), on March 5, 2002. The northern portions of the tract is within the floodway and the 100-year floodplain (Federal Emergency Management Agency-Flood Insurance Rate Map, Missoula County and Incorporated Areas, Panel 1465 of 1900, Map Number 30063C1465 D, effective date August 16, 1988). Under ownership by FWP, these areas will be protected under state and federal guidelines. No structures are located on the parcels and the floodplain will not be altered due to the proposed action.

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- \*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- \*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- \*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

4. <u>VEGETATION</u>  Will the proposed action result in?	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				4a.
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c.
d. Reduction in acreage or productivity of any agricultural land?			X			4d.
e. Establishment or spread of noxious weeds?			X		yes	4e.
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?			X		yes	4f.
g. Other: _____		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Vegetation (attach additional pages of narrative if needed):**

- 4a. The intent of placing the tract under public ownership is to preserve the historic natural character of the land; therefore, no impacts to the plant species are anticipated at this time. Any future trail development will be subject to environmental review and public comment. This tract is heavily infested in knapweed, so public ownership and active weed control will eventually allow better diversity of plant species.
- 4c. Two sensitive plant species were found within one mile of the subject tract: *Carex scoparia* (Pointed broom sedge) and *Cypripedium parviflorum* (Small yellow lady's slipper). These species may occur on the subject tract, but a plant field study has not been conducted (Land and Water Consulting, Inc., *Travelers' Rest Environmental Assessment*, February 6, 2001). Acquisition of the tract by FWP will protect these sensitive plant species, if found on the tract.
- 4d. The subject tract consists of agricultural and riparian land, which would be no longer be used for livestock pasture or other agricultural uses after acquisition by FWP.
- 4e. Vehicles, wildlife, and humans can transport weed seed. Though vehicles will not access the tract, increased human use of the park could increase introduction and spreading of noxious weeds. FWP and Missoula County have established weed management programs, and will expand efforts to control and noxious weeds on the newly acquired tract.
- 4f. Changing ownership of the tract from private to FWP will help preserve wetlands and prime farmlands that may occur on these tracts. The tract has not been surveyed for wetlands; however, given the proximity to Lolo Creek, it is possible that wetlands occur on the site.

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\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

Neal Svendsen, Soil Scientist for the Natural Resources Conservation Service in Missoula, reviewed the soil survey maps addressing the area and discussed the soil attributes with Sue Dalbey on March 12, 2002. The Bitterroot Valley is considered prime farmland if it is irrigated; if not irrigated, farmland is considered important statewide, but not prime. The subject tract is not mapped on the Natural Resources Conservation Service soils (SSURGO) map on the web (<http://www.dnrc.state.mt.us/wrd/home.htm>).

<b>** 5. <u>FISH/WILDLIFE</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				See below
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			5g.
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)			X positive			5h.
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				
j. Other: _____		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Fish and Wildlife (attach additional pages of narrative if needed):**

FWP Fisheries Biologist Ladd Knotek conveyed information about this reach of Lolo Creek to Sue Dalbey on March 11, 2002 and September 9, 2003. Knotek stated that the proposed acquisition is important to provide angler access and protect this reach of stream, which is under pressure from development due to its proximity to Lolo and Missoula. Upper Lolo Creek was heavily altered from the construction of Highway 12, causing a reduction in stream miles. Thus, the creek is unstable and has high deposition in the lower reaches. Knotek noted that as a result of this, the stream bed moves frequently and future planning should locate trails well away from the stream.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

In addition, the lower reach is dewatered from the end of July into September from irrigation use. Protection of the upper reach and possible added instream flows from acquired water rights could benefit the fish habitat and angler opportunities. The acquisition of this tract will positively benefit pedestrian access and bank angling opportunities along Lolo Creek.

The most abundant game fish in Lolo Creek are rainbow trout, brown trout and mountain whitefish. Westslope cutthroat trout (a species of special concern in Montana) are also common, but not as abundant. A few brook trout and bull trout (*Salvelinus confluentus* - Columbia River Basin species found West of the Continental Divide and listed by the U.S. Fish and Wildlife Service as a Threatened Species) are found in this reach. It is illegal to intentionally fish for or take bull trout. The westslope cutthroat trout in Lolo Creek fall under the standard Western Montana fishing regulations, which allow no more than 3 cutthroat trout and none over 10 inches. Knotek does not anticipate negative impacts to the bull trout or cutthroat trout due to the increased visitation to Travelers' Rest and the subject acquisition.

Other fish species found in Lolo Creek are: slimy sculpin, redbside shiner, northern pike minnow (formerly known as the northern squawfish), longnose sucker, and largescale sucker.

FWP Wildlife Biologist John Vore discussed the proposed acquisition with Sue Dalbey on March 12, 2002 and September 9, 2003. A variety of small, non-game mammals frequent this riparian to rangeland habitat including: raccoon, skunks, shrews, voles, rabbits, etc. Whitetail deer are the primary game animal to use this area. Black bear and mountain lion may be seen on the tract, with a possibility of elk or mule deer passing through. Species of special concern that benefit from protecting this habitat include neotropical birds that nest in the riparian zone. Gray wolves have been documented near the area and it's possible they could travel into the subject tract. A bald eagle nest is documented at the mouth of Lolo Creek (Dennis Flath, FWP Nongame Wildlife Coordinator (retired), personal communication with Sue Dalbey, November 30, 2000); primary forage occurs along the Bitterroot River rather than Lolo Creek.

Some positive benefits may result from protecting and enhancing wetland and riparian habitats and preventing residential development. Lolo Creek does provide a movement corridor for wildlife, which will be protected by the proposed action.

- 5g. Increased human activity may slightly stress wildlife during the summer visitor season. This can be mitigated when the managing entities work with the local biologist to develop a plan for the site, strategically place trails within the park to limit impacts on wildlife and the fishery, or limit activity in specific areas during certain times of the year. Any site development will undergo a separate environmental assessment.
- 5h. Bull trout are the only threatened or endangered fish species found in this reach of Lolo Creek and are already protected by state fishing regulations as noted above by Biologist Ladd Knotek. Gray wolves have the potential to pass through the subject tract, as they have been sighted nearby. And the Yellow-billed cuckoo has the potential to migrate through the riparian zones here. All species will benefit from the proposed acquisition by a public agency charged with managing the state's fish and wildlife, as compared with the potential alternative of residential development on the tract.

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\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Increases in existing noise levels?			X			6a.
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other: _____		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Noise/Electrical Effects (attach additional pages of narrative if needed):**

- 6a. An increase in visitation can be expected as the park is advertised as public land and the anniversary of the Lewis and Clark expedition approaches. Added vehicles and pedestrians will increase noise levels slightly.

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\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

7. <b><u>LAND USE</u></b>  Will the proposed action result in:	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X		yes	7a.
b. Conflict with a designated natural area or area of unusual scientific or educational importance?			X positive			7b.
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other: _____		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Use (attach additional pages of narrative if needed):**

- 7a. The purpose of the acquisition is to conserve these lands from development and further disturbance in order to preserve the historic importance of the area. As the subject tract is incorporated into the Travelers' Rest State Park, productivity and profitability will change from primarily residential and agricultural use to historical, educational, and visitor services related industry. Specific use of these lands will be determined through the management planning process.
- 7b. The acquisition of the subject tract will preserve a significant crossroads in Native American history and part of a key area in Montana documented by the Lewis and Clark expedition. This has high educational potential about Montana's history.

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\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.



<b>8. <u>RISK/HEALTH HAZARDS</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		yes	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?			X		yes	8b.
c. Creation of any human health hazard or potential hazard?		X				
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)			X			8a.
e. Other: _____		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Risk/Health Hazards (attach additional pages of narrative if needed):**

- 8a. FWP and Missoula County cooperate to implement the FWP Region 2 Weed Management Plan. This integrated plan (biological, mechanical and chemical) has protocols to combat weeds and protect park visitors, wildlife and water quality during and after application.
- 8b. Due to the anticipated increase in visitation at this state park area, an emergency response and evacuation plan will be part of the overall park management plan designed by the managing entities in cooperation with the Missoula County Search and Rescue, the local FWP Warden, and local protection agencies.

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\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

<b>9. <u>COMMUNITY IMPACT</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?			X			9a.
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?			X			9c.
d. Changes in industrial or commercial activity?			X		yes	9d.
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				9e.
f. Other:		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Community Impact (attach additional pages of narrative if needed):**

- 9a. Visitation (human density) to the subject tract will increase as the tract becomes absorbed into and known to the public as Travelers' Rest State Park. Access from Highway 93 may add to the visitation of this tract for angling and recreational purposes.
- 9c. Visitation is expected to increase to the geographic area due to the upcoming Lewis and Clark expedition anniversary. Expanding the park adds credibility to the park and the potential for significant archaeological and cultural studies, and education and interpretation venues for many individuals and organizations. Enlarging the park and managing it may create more employment opportunities directly at the park. Increased visitation to the geographic area may stimulate seasonal or permanent employment opportunities within the community.
- 9d. With many organizations supporting the Travelers' Rest research and preservation in anticipation of increased area visitation, commercial activity will likely increase and boost the Lolo area economics, however, the community can have input as to how these changes occur and influence their area.
- 9e. Visitors do and may continue to occasionally park on the highway right-of-way to access the creek. Though an access easement from Highway 93 will be transferred to FWP, no vehicle parking improvements or additional signs are planned along Highway 93 at this time. Visitors arriving by vehicle would access the Scullion property from the parking area provided at the existing State Park and farmhouse area north of Mormon Creek Road. Existing signs, roads and parking areas within the park are expected to accommodate the slight increase in visitation resulting from the proposed acquisition. Pedestrians are expected to frequent the site due to its proximity to Lolo and linkage to community trails.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

<b>10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:			X		yes	10a.
b. Will the proposed action have an effect upon the local or state tax base and revenues?			X			10b.
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources		X			Yes	10e.
f. **Define projected maintenance costs.		X			yes	10f.
g. Other: _____		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Public Services/Taxes/Utilities (attach additional pages of narrative if needed):**

- 10e. Due to the acquisition by a state agency and the transition from private property to a state park, there will be an increase for maintenance, solid waste disposal, and enforcement by county or FWP law enforcement staff. A memorandum of understanding between FWP and the TRPHA provides for the management of the facilities to be the responsibility of TRPHA; therefore, demands on FWP and staff will be minimal. TRPHA has been awarded several grants to aid with the development and planning of the site.
- 10b. The proposed action would remove 11.5 acres of land from the Missoula County tax rolls. The tract would be considered part of the Travelers' Rest State Park and would be exempt from local taxes. If the proposed action is completed, Missoula County tax revenue would decrease by approximately \$800-1,250 annually as estimated in the 2002 appraisal by Stevens Co.
- 10e. Acquisition of the tract would be by private donation and fee title. A Land and Water Conservation Fund grant will be used to acquire the tract using the existing state park land values and land value donations to match; no direct funding from FWP is anticipated. TRPHA would also purchase part of the Scullion tract equal to the fair market value of \$26,000.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

Montana State Parks typically charge visitor entry fees. Under the five-year management agreement between FWP and TRPHA, the Association is financially responsible for the park. Fees may be collected for special events or programs, however general park entry fees may not be collected until public facilities have been provided which enhance the visitor's understanding of the area. The State Park Passport will be honored. All fees collected will be managed by TRPHA for the future operations and maintenance of the site.

- 10f. Future maintenance costs to the proposed acquisition tract will be borne by TRPHA. Maintenance for the acquired property will primarily include weed control, litter, mowing and trimming. When or if trails or other future improvements would be made, maintenance would be minor compared to other more developed areas in the park.

- \* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- \*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- \*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- \*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

<b>** 11. <u>AESTHETICS/RECREATION</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?			X positive			11a.
b. Alteration of the aesthetic character of a community or neighborhood?			X		Yes	11b.
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X positive			11c.
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)			X positive			11c.
e. Other: _____		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Aesthetics/Recreation (attach additional pages of narrative if needed):**

One of the goals of acquiring the tract is to maintain the natural aesthetics due to its contribution to the cultural and historical character of the area. Minor site improvements may include fencing and existing road maintenance, which will have little affect on the aesthetics of the area.

- 11a. Acquiring the proposed tract adds protection to the existing State Park by providing open space and visual vastness allowing visitors to better understand past cultural uses of the area and historical explorations.
- 11b. Due to the increased visitation, the aesthetic character of the neighborhood may somewhat change. The community is anticipating an increase in visitation, hence the formation of the TRPHA and planning efforts prior to the Lewis and Clark Bicentennial to make these changes beneficial to the community.
- 11c. The acquisition of this tract will increase the quality and quantity of recreational and tourism opportunities. Private development will be precluded on a historic site, and by enlarging the state park, visitors will be able to better understand historic events. The park will also provide opportunities to enjoy fishing, picnicking, watchable wildlife viewing, educational tours, etc. The addition of this tract will help visitors understand the use of the area by Native Americans and the Lewis and Clark expedition.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

12. <u>CULTURAL/HISTORICAL RESOURCES</u>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				12a.
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		X				12d.
e. Other:		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Cultural/Historical Resources (attach additional pages of narrative if needed):**

- 12a. The primary purpose of the proposed action is to preserve the cultural and historical significance of these sites. Acquisition of the tract by a state agency with a mission to preserve historic properties will least likely alter the site as compared to continuing under private ownership with the imminent threat of development. The site management plan is contingent upon identifying historic and cultural resources.
- 12d. Concurrence from the State Historic Preservation Office has not been requested at this time because transferring private property into state agency ownership affords greater protection to historic and cultural resources than when under private ownership and no improvements are planned at this time.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

# SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>  Will the proposed action, considered as a whole:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				13f.
g. ****For P-R/D-J, list any federal or state permits required.		X				

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Significance Criteria (attach additional pages of narrative if needed):**

- 13f. Judging by the positive public comments received (all of 65 comments were supportive) when the Travelers' Rest State Park was acquired in 2001, the proposed acquisition is expected to receive similar positive support. In addition, the 2002 Travelers' Rest Acquisition Phase II EA received 16 supportive comments out of 18 public comments total. That support resulted in acquiring 10 more acres and a conservation easement.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## **PART II. ENVIRONMENTAL REVIEW (CONTINUED)**

### **2. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:**

#### **Alternative A : No Action - FWP does not acquire the tract**

If FWP does not acquire the Scullion property provides impacts could be significant to the physical and human environment due to an uncertain future and potential development which could occur on the property.

Continued ownership of the tract by private parties would most likely lead to residential developments on this site. Visitors to these sites may not be welcome and public access may not be allowed to Lolo Creek. The site has natural attributes valuable to wildlife and public activities. The property may contain significant historical and cultural information about our past. Once disturbed, the potential for meaningful archaeological investigations is greatly hindered. Much of the historic, archaeological and natural values of the properties would be lost under this alternative.

#### **Alternative B: Preferred Alternative - FWP acquires the tract as proposed**

Acquiring the tract would preserve the historic, natural, cultural, and archaeological significance of these sites allowing for further field investigations, public access for a variety of recreational and cultural pursuits. FWP is the logical recipient agency for tract due to their mission and experience in preserving historical sites. The existence and proximity of Travelers' Rest State Park provides for the infrastructure for the tract and can easily tie in with existing management plans and field studies. The acquisition, itself, may be funded by federal Land and Water Conservation Funds. Widespread local and national cooperation and awarded grants make this a winning situation for the public. Due to budget constraints, FWP has developed a management agreement with TRPHA to handle the maintenance costs of the park. In turn, Travelers' Rest State Park can be a cornerstone to boosting local economic growth.

#### **Alternative C – Acquisition by another public agency or foundation**

This alternative could fulfill the purpose of preserving the historic, cultural and natural properties of the site. Public services, however, may be duplicated to provide basic visitor facilities, parking, education and interpretation. This would be an inefficient use of funds and added facilities to this degree would alter the aesthetics of the area. It could cause some competition between managing entities or the community if applying for the same grants to conduct field studies or to manage the site. The Bureau of Land Management and the U.S. Forest Service were originally approached to acquire and manage Travelers' Rest several years ago, but declined this responsibility. Agencies other than FWP have not been approached about acquiring the current subject tract, nor has another agency or foundation volunteered to acquire the proposed site.

### **3. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

Use of acquired water rights by FWP will have to be evaluated by the fisheries biologist and parks manager.

FWP and Missoula County have established weed management programs, which will continue efforts to control and eradicate noxious weeds.

Increased human activity may slightly stress wildlife during the summer visitor season. This can be mitigated when the managing entities work with the local biologist to develop a plan for the site, strategically place trails within the park to limit impacts on wildlife, or limit activity in specific areas during certain times of the year.



As the subject tract is incorporated into the Travelers' Rest State Park, productivity and profitability will change from grazing and housing emphasis to historical, educational, and visitor services related industry.

Due to the anticipated increase in visitation at this state park area, an emergency response and evacuation plan will be part of the overall park management plan designed by the managing entities in cooperation with the Missoula County Search and Rescue, the local FWP Warden, and local protection agencies.

Though access will be allowed from Highway 93 to the subject tract, this access will not immediately be signed. Visitors will access the tract from the existing state park and farmhouse area on Mormon Creek Road during normal open hours or by appointment until a management plan is completed for this property that is sensitive to the area resources and public access from Highway 93, if necessary.

A five-year memorandum of understanding between FWP and the TRPHA provides for the management of the facilities to be the responsibility of TRPHA, therefore demands on FWP and staff will be minimal. TRPHA has been awarded several grants to aid with the development and planning of the site.

### **PART III. NARRATIVE EVALUATION AND COMMENT**

The protection of historically significant lands is imperative to our national culture. If these lands are disturbed by housing developments, the archaeological information is lost, as well as the public's opportunity to explore and learn about the use of this area by Native Americans and by Lewis and Clark. Support is high to preserve the Travelers' Rest area near Lolo, Montana, with landowners willing to sell land for a reasonable price, donate land and protect land with easements. Though FWP is the logical agency to acquire and manage the site, funding is not sufficient to adequately address the needs of a new site such as Travelers' Rest. TRPHA, a non-profit organization, is in place to aid FWP in these endeavors with grants awarded and private donations. In addition, the preservation of this site can act as a stimulus to the Lolo Community economics as visitors from across the nation meet here during the Lewis and Clark Bicentennial.

The analysis of acquiring the tract reveals few impacts, all minor. Most negative impacts can be mitigated and many impacts are positive. The transfer from private to state agency ownership assures greater preservation of historic and cultural artifacts and public access to intact natural environments. Ground disturbance, such as residential development, on the subject tract would jeopardize the useful information that can be learned from the tract by archaeological and geophysical studies. FWP ownership helps to ensure protection for unique habitats, such as wetlands, floodplains, riparian zones, critical to animals like the bull trout and neotropical migrating birds.

The recreational opportunities gained for out-of-state visitors and Lolo/Bitterroot/Missoula Valley residents are an asset for the community. When combined with the existing park, access for fishing, wildlife habitat and watchable wildlife, hiking and picnicking is greatly increased.

## **PART IV. EA CONCLUSION SECTION**

- 1. Based on the significance criteria evaluated in this EA, is an EIS required? NO If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

This environmental review revealed no significant negative impacts from the proposed action; therefore, an EIS is not necessary and an Environmental Assessment is the appropriate level of analysis. Acquiring the tract poses few minor impacts and substantial benefit to the local natural and human environment. The EA process provides adequate protection and opportunity for public review and comment for this action.

- 2. Describe the level of public involvement for this project if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**

The overall Travelers' Rest preservation project is a community-based initiative to preserve an important component of Montana history. The public has been involved extensively since 1998 including:

- various agencies meeting with proponents;
- the Lewis and Clark Trail Heritage Foundation input;
- Formation of a Design Charette with input from the Missoula County Office of Planning and Grants, the Idaho-Montana Chapter of the American Society of Landscape Architects and 100 individuals (April 1999);
- Lasting Legacies forum discussion (April 1999);
- Monthly Steering Committee Meetings open to the public (since November 1999);
- Coordinating with local landowners;
- Public comments regarding 15 acre acquisition of Travelers' Rest State Park (MEPA document February-March 2001);
- Formation of the Travelers' Rest Preservation and Heritage Association (May 2001);
- Montana Community Development Council hosted two facilitated meetings to identify opportunities for the Lolo Community (July 2001);
- Community and public input in developing the State Park management directive and master site plan (Summer 2002 and 2003).

The public will be notified in the following manners to comment on this EA, the proposed action and alternatives:

- Two legal notices in each of these papers: Helena Independent Record, Missoulian, and the Ravalli Republic (Hamilton);
- Public Notice on the Fish, Wildlife & Parks web page: <http://fwp.state.mt.us>
- EA posted on the Travelers' Rest Preservation and Heritage Association web page: [www.travelersrest.org](http://www.travelersrest.org)
- Direct mailing of the EA or notification postcards to interested parties.

The opportunities for public input listed above are adequate for the proposed action given the substantial public involvement to day, and since few negative environmental impacts have been identified.

**3. Duration of comment period, if any.**

Due to time restraints of the seller and positive public responses to the first two acquisitions, the public comment period will be fifteen days long. This will allow FWP Commission and the Land Board action to occur at their November meetings.

The public comment period will extend for fifteen (15) days following publication of the legal notice. Written comments will be accepted until 5:00 p.m., **MONDAY, OCTOBER 13, 2003** and can be mailed to the address below:

Travelers' Rest State Park Phase III – Scullion Tract EA  
Montana Fish, Wildlife & Parks  
3201 Spurgin Road  
Missoula, MT 59804

Or email comments to: *lbastian@state.mt.us*

**4. Name, title, address and phone number of the person(s) responsible for preparing the EA:**

Sue Dalbey  
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Dalbey Resources  
926 N. Lamborn St.  
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406-443-8058

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Missoula, MT 59804  
406-542-5517

**ATTACHMENT**

A: 23-1-110 MCA Exemption Form

**ATTACHMENT A**  
**23-1-110 MCA Exemption Form**  
**Travelers' Rest Acquisition Phase III – Scullion Tract**

Use this form when a park improvement or development project meets the criteria identified in 12.8.602 (1) ARM, but determined to NOT significantly change park features or use patterns.

State Park or Fishing Access Site Project Description: Montana Fish, Wildlife and Parks (FWP) proposes to acquire 11.5 acres of land by fee title which are associated with historical Native American use and the Lewis and Clark expedition near Lolo, Montana.

The project does not significantly change park or fishing access site features or use patterns. The reasons for exemption across from the appropriate item are provided below.

<b>12.8.602 (ARM) (1)</b>	<b>Reason for Exemption</b>
(a) Roads/trails	no new roads/trails
(b) Buildings	no new buildings
(c) Excavation	none
(d) Parking	no new parking
(e) Shoreline alterations	none
(f) Construction into water bodies	none
(g) Construction w/impacts on cultural artifacts	none-purpose of acquisition is to preserve these resources
(h) Underground utilities	no new utilities
(i) Campground expansion	none

Some activities considered that do not significantly impact site features or use patterns are: signing, fencing, barriers, road grading, garbage collection, routine latrine and facility maintenance.

Signature \_\_\_\_\_ (Susan E. Dalbey) \_\_\_\_\_ Date 9/17/03 \_\_\_\_\_